

**NEW HAMPSHIRE BOARD OF NURSING  
MINUTES  
March 19, 2015**

Recorder: Kathryn Dickson, Executive Secretary

| TOPIC               | DISCUSSION | ACTION  |
|---------------------|------------|---|
| 1.0 Call to Meeting |            | Meeting called to order at 8:04 a.m. with R. Duhaime (RD), Chair, presiding.<br>Board members present: K. Baranowski (KB), N. Fortin (NF); K. Kidder (KK), T. Collins (TC), R. Petrin (RP), A. Finn-Waddell (AF), B. Fersch (BF), J. Kuras (JK), C. Smith (CS), H. Featherston (HF) joined Board at 10:30 a.m.<br>Board staff present: D. Nies (DN), A. Pavlidis (AP), C. Brody (CB), S. Goodness (SG), K. Dickson (KD) |
| 1.1 Open Forum      | None       |   |
| 1.2 Addendum        |            |   |
| 1.2.1 Additions     |            | 2.2 Emergency meeting minutes<br>4.1 Expense Summary Budget<br>7.1.2.1 C. Melanson Exhibits<br>7.2.1 J. Duguay, II, VS<br>8.1.2.1 R. Joseph, written testimony<br>9.3.8 A. S., LNA initial licensure<br>9.3.9 A. M., LNA initial licensure<br>11.3.2 RN scope of practice: Removal of loose tooth from child  |
| 1.2.2 Deletions     | None       |   |
| 1.3 Appearances     |            | 4.4 Governor's office 8:30 a.m.<br>7.1.1 A. Nielsen 8:30 a.m.<br>7.1.2 C. Melanson 9:00 a.m.<br>7.1.3 E. Perry 9:15 a.m.<br>7.1.4 F. Orchard 9:30 a.m.<br>7.1.5 S. McGlyn 10:00 a.m.<br>7.1.6 T. Kellom 10:30 a.m.<br>11.3.1 S. Carroll, SNHMC 11:30 a.m.<br>4.3 J. Loven 1:00 p.m.<br>8.1.1 L. Wildes 1:15 p.m.  |

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|   |  | 8.1.3 K. Decristaforo 1:45 p.m.<br>9.2.1 Z. Austin 2:00 p.m.<br>9.2.2 N. Thompson 2:15 p.m.<br>8.1.2 R. Joseph 2:30 p.m.   |
| 2.0 Approval of minutes<br>2.1 February 19, 2015<br>Regular Board meeting minutes<br><br>2.2 March 11, 2015<br>Emergency meeting minutes  | Reviewed and discussed.<br><br>Reviewed and discussed.   | M/KK, S/NF to approve minutes as written.<br>Unanimous.<br><br>M/KK, S/NF to approve minutes as written.<br>Unanimous.   |
| 4.0 Report of Executive Director/Staff<br>4.1 Expense Summary Budget<br><br>4.3 John Loven, Probation Officer<br><br>4.4 Representatives from Governor's office.  | FYI.<br><br>John Loven, Probation Officer, has client who was denied permission to take LNA class based on criminal record. He asked Board to reconsider denial.<br><br>Meredith Tellus and Jen Kuzma, representatives from Governor's office, spoke to board consolidation and answered questions regarding structure and implications. | Board advised that LNA make appointment to appear before Board for reconsideration.  |
| 6.0 Report of Investigator/Prosecutor<br>6.1 Open files   | Reviewed and discussed open files with Investigator/Prosecutor.  |  |
| 7.0 Adjudicative (Investigator/Prosecutor)<br>7.4 Dismissals (Proposed)<br>7.4.1 – 7.4.3<br><br>7.5 Recommendations (Proposed)<br>7.5.1 – 7.5.6<br><br>7.5.7 A. Roy, LPN<br>#016488-22<br><br>8.0 Adjudicative (Executive Director)<br>8.2 Recommendations (Proposed) | Previously reviewed.<br><br>Previously reviewed.<br><br>Reviewed and discussed Hearing Counsel's recommendation to emergency suspend LPN license of A. Roy.  | M/NF, S/KK to approve recommendations for 7.4.1 through 7.4.3 as proposed.<br>Unanimous.<br><br>M/NF, S/KK to approve recommendations for 7.5.1 – 7.5.6 as proposed.<br>Unanimous.<br><br>M/TC, S/NF to emergency suspend A. Roy's NH LPN license.<br>Unanimous. |

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| <p>8.2.1 – 8.2.7 Letters of Concern and Dismissals (BF, LPN; recused Board member)</p> <p>9.0 Licensure</p> <p>9.3 Licensure – non-appearances</p> <p>9.3.1 – 9.3.7 Pending licensure in NH</p> <p>9.3.8 A. S., LNA initial license</p> <p>9.3.9 A. M., LNA initial licensure</p>                | <p>Previous reviewed.</p> <p>8.2.2 removed from Consent Agenda for discussion.</p> <p>Previously reviewed.</p> <p>Reviewed and discussed.</p> <p>Reviewed and discussed.</p> | <p>M/NF, S/KK to approve recommendations for 8.2.1, 8.2.3, 8.2.4, 8.2.5, 8.2.6 and 8.2.7. Unanimous.</p> <p>M/NF, S/CS to dismiss 8.2.2 with Letter of Concern. Unanimous.</p> <p>M/NF, S/KK to approve licensure in NH for 9.3.1 through 9.3.9. Unanimous.</p>  |
| <p>10.0 Education</p> <p>10.1 Consideration for Approval Status</p> <p>10.1.1 Pinkerton Academy LNA Program</p> <p>10.1.2 Med Pro Educational Services, LLC LNA Program</p> <p>10.1.3 Med Pro Educational Services, LLC MNA Program</p> <p>10.1.4 Harmony Health Care Institute LPN program.</p> | <p>Previously reviewed.</p> <p>Previously reviewed.</p> <p>Previously reviewed.</p> <p>Reviewed and discussed request for full approval of LPN program.</p>                  | <p>M/NF, S/KK to grant <i>Continued Approval</i> of the LNA Program and its Coordinator. Unanimous.</p> <p>M/NF, S/KK to notify coordinator that they must be in compliance of Nur 700 within 30 days of Board notification. No new students shall be admitted until program meets compliance. Unanimous.</p> <p>M/NF, S/KK to notify coordinator that they must be in compliance of Nur 800 within 30 days of Board notification. No new students shall be admitted until program meets compliance. Unanimous.</p> <p>M/NF, S/TC to grant <i>Full Approval</i> of Practical Nurse Program for five-year period allowed under Administrative Rules. Unanimous.</p> |
| <p>11.0 Practice Inquiries and Practice Committee Reports</p> <p>11.1 Liaison Committee (KK)</p> <p>11.2 P &amp; E Committee (NF)</p>  | <p>No meeting</p> <p>P &amp; E Committee working on current FAQs on website.</p>   |  |



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| 7.1.3 E. Perry, RN<br>#063560-21           | <p>Board staff present: S. Goodness (SG), K. Dickson (KD), L. O'Connor (LO), Hearing Counsel for Board of Nursing</p> <p>Reading of Notice of Hearing waived.</p> <p>Respondent present to offer testimony. Signed "Stipulation of Facts" was presented.</p> <p>Hearing concluded at 10:04 a.m.</p>  |  |
|  | <p>Hearing held in absentia for E. Perry, RN #063560-21, Docket #15-0304-0464 pursuant to the Nurse Practice Act RSA 326-B and the administrative rules, Chapter 100 - 800, proceeded at 10:07 a.m. with R. Duhaime, Chair, presiding.</p> <p>Board members present: K. Baranowski (KB), N. Fortin (NF); K. Kidder (KK), T. Collins (TC), R. Petrin (RP), A. Finn-Waddell (AF), B. Fersch (BF), J. Kuras (JK), C. Smith (CS)</p> <p>Board staff present: S. Goodness (SG), K. Dickson (KD), L. O'Connor (LO), Hearing Counsel for Board of Nursing</p> <p>Reading of Notice of Hearing waived.</p> <p>Witness:</p> <p>Sarah MacLeay, RN, Hanover Terrace Healthcare</p> <p>Hearing concluded at 10:27 a.m.</p> | <p>M/KB, S/KK to affirm Hearing Counsel's Proposed Findings of Facts #1-#17; affirm Hearing Counsel's Proposed Rulings of Law #1 - #4; affirm Hearing Counsels Proposed Sanctions #2 - #7; amend Hearing Counsel's Proposed Sanctions #1 to REVOKE RN license for a period not less than 5 years and assess monetary penalty of \$2000 to deter future misconduct and to defray costs associated with investigation and prosecution of case.</p> <p>Unanimous.</p> |
| 7.1.4 F. Orchard, RN<br>#066324-21         | Reviewed and discussed Motion to Continue.   | <p>HF joined Board at 10:30 a.m.</p> <p>AF recused.</p> <p>M/NF, S/RP to approve request for Motion to Continue.</p> <p>Unanimous.</p>   |
| 7.1.5 S. McGlyn<br>Inactive LNA #041743-24 | <p>Hearing held in absentia for S. McGlyn, LNA #041743-24, Docket #15-0304-0465-NA pursuant to the Nurse Practice Act RSA 326-B and the administrative rules, Chapter 100 - 800, proceeded at 10:35 a.m. with R. Duhaime, Chair, presiding.</p> <p>Board members present: K. Baranowski (KB), N. Fortin (NF); K. Kidder (KK), T. Collins (TC), R. Petrin (RP), A. Finn-Waddell (AF), B. Fersch (BF), J. Kuras (JK), C. Smith (CS), H. Featherston (HF)</p> <p>Board staff present: S. Goodness (SG), K. Dickson</p>  | <p>M/NF, S/KB to affirm Hearing Counsel's Proposed Findings of Facts #1-#17; affirm Hearing Counsel's Proposed Rulings of Law #1 - #4; affirm Hearing Counsels Proposed Sanctions #2 - #7; amend Hearing Counsel's Proposed Sanctions #1 to REVOKE RN license for a period not less than 5 years and assess monetary penalty of \$2000 to deter future misconduct and to defray costs associated with investigation and prosecution of case.</p>                   |

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| 7.1.6 T. Kellom, LPN<br>#011208-22 | <p>(KD), L. O'Connor (LO), Hearing Counsel for Board of Nursing<br/>Reading of Notice of Hearing waived.<br/>Witnesses:<br/>Laurie Cailler, RN Trusting Hands Home Health Care<br/>Barbara Whited, LPN, Trusting Hands Home Health Care<br/>Hearing concluded at 10:41 a.m.</p> <p>Hearing held in absentia for T. Kellom, LPN #011208-22, Docket #15-0304-0467 pursuant to the Nurse Practice Act RSA 326-B and the administrative rules, Chapter 100 - 800, proceeded at 10:57 a.m. with R. Duhaime, Chair, presiding.<br/>Board members present: K. Baranowski (KB), N. Fortin (NF); K. Kidder (KK), T. Collins (TC), R. Petrin (RP), A. Finn-Waddell (AF), B. Fersch (BF), J. Kuras (JK), C. Smith (CS), H. Featherston (HF)<br/>Board staff present: S. Goodness (SG), K. Dickson (KD), L. O'Connor (LO), Hearing Counsel for Board of Nursing<br/>Reading of Notice of Hearing waived.<br/>Witness: Patricia Henderson, DON, Sullivan County Health Care<br/>Hearing concluded at 11:14 a.m.</p> <p>Non-public attorney-client session held from 11:15 – 11:52 a.m.</p> | <p>Unanimous.</p> <p>M/KB, S/KK to affirm Hearing Counsel's Proposed Findings of Facts #1-#11; affirm Hearing Counsel's Proposed Rulings of Law #1 - #2; affirm Hearing Counsels Proposed Sanctions #2 - #7; amend Hearing Counsel's Proposed Sanctions #1 to SUSPEND RN license for a period not less than 5 years and assess monetary penalty of \$500 to deter future misconduct and to defray costs associated with investigation and prosecution of case.<br/>Unanimous.</p> |
| 7.1.7 J. Donahue<br>RN Endorsement | <p>Continued deliberation from February 19, 2015 meeting.</p> <p>M/NF, S/KK to conduct non-public session for purpose of discussion of alleged licensee misconduct. Non-public session is authorized by RSA 91-A:3 II and Board's executive and deliberative privileges. Minutes of non-public session shall be sealed. Board voted as follows:<br/>Yea: HF, KK, TC, NF, KB, RP</p>   | <p>M/NF, S/KK to affirm Hearing Counsel's Proposed Findings of Facts #1 - #15; deny Hearing Counsel's Proposed Rulings of Law #1 and to grant NH RN license by endorsement.<br/>Unanimous.</p>  |

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|   | Non-public session began at 12:40 p.m. and concluded at 1:00 p.m.  |  |
| <p>8.1 Requests for Reinstatement, Removal of Probation, Restrictions, Modifications or Conditions</p> <p>8.1.1 L. Wildes, LPN<br/>#011174-22</p> <p>8.1.2 R. Joseph, Jr<br/>Inactive RN #039062-21</p> <p>8.1.3 K. DeCristoforo, RN<br/>#059031-21</p> | <p>L. Wildes presented oral testimony in support of petition for modification of stipulation #8.</p> <p>R. Joseph, Jr. presented oral testimony in support of petition for removal of suspension.</p> <p>K. DeCristoforo came in for clarification of drug testing compliance.</p> | <p>Since L. Wildes has reciprocal discipline from Texas, Board suggested she contact TX BON to request modification of Settlement Agreement received from TX.</p> <p>M/NF, S/RP to deny request for removal of suspension.<br/>Unanimous.</p> <p>Board provided information.</p> |
| <p>9.2 Licensure issues</p> <p>9.2.1 Z. Austin, LNA<br/>#037400-24</p> <p>9.2.2 N. Thomsen<br/>Inactive LNA #018072-24</p>  | <p>Z. Austin presented oral testimony in support of petition for reinstatement of LNA license.</p> <p>N. Thomsen presented oral testimony in support of petition for reinstatement of LNA license.</p>   | <p>M/NF, S/CS to deny reinstatement.<br/>Unanimous.</p> <p>M/NF, S/RP to deny reinstatement.<br/>Unanimous.</p>  |
| <p>7.0 Adjudication</p> <p>7.3 Motion for Reconsideration/Rehearing/ Continuance/Prehearing Conference/ Motion to Compel/Dismiss</p> <p>7.3.1 S. L., RN</p>   | <p>Reviewed and discussed Respondent's Motion to Dismiss Complaint, Hearing Counsel's Objection to Motion to Dismiss Complaint, and Respondent's Reply to Hearing Counsel's Objection to Motion to Dismiss Complaint.</p>  | <p>M/AF, S/HF to deny Respondent's Motion to Dismiss Complaint.<br/>Unanimous.</p>   |
| <p>13.0 Legislation</p> <p>13.1 HB484</p> <p>13.2 Supreme Court decision<br/>Potential impact on licensing boards</p>   | <p>FYI.</p> <p>FYI.</p>  |  |

[illegible]